

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

RUBEN TREY SALINAS,

Defendant.

**Case Nos. 1:19-CR-2054-SAB-1
1:20-CR-2019-SAB-1**

CRIMINAL MINUTES

DATE: NOVEMBER 18, 2020

LOCATION: YAKIMA, WA

SENTENCING HEARING

Chief Judge Stanley A. Bastian

Michelle Fox Courtroom Deputy	03 Law Clerk	Marilynn McMartin Court Reporter
Ian Garriques Government Counsel	Robin Emmans Defense Counsel	
United States Probation Officer: Sean Carter – by telephone		

☒ **Open Court**

☐ **Chambers**

☐ **Video/Telecon**

Defendant present and in custody of U.S. Marshal.

Court outlines the sentencing guidelines for both cases.

Court has reviewed the presentence report.

R. Emmans asks for a reduction for acceptance of responsibility. Not sure if this should be an objection or argument for departure.

R. Emmans presents argument regarding acceptance of responsibility for escape charge.

I. Garriques presents argument against reduction.

Court denies request for changing the calculations in presentence report for acceptance of responsibility.

Court adopts the presentence report.

I. Garriques presents argument and outlines recommendations.

R. Emmans presents argument and outlines recommendations.

☒ **ORDER FORTHCOMING**

CONVENED: 10:00 A.M.	ADJOURNED: 10:43 A.M.	TIME: 43 MIN.	CALENDARED [X]
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Defendant speaks to the Court.

Court speaks to the defendant.
Defendant responds.

Court outlines the 3553 factors. Court speaks to the defendant regarding the escape.

Imprisonment: 27 months. Credit for time served. Each count in the two cases to run concurrently.

Supervised Release: 3 years with the standard conditions and following special conditions:

1. You must submit your person, residence, office, or vehicle and belongings to a search, conducted by a probation officer, at a sensible time and manner, based upon reasonable suspicion of contraband or evidence of violation of a condition of supervision. Failure to submit to search may be grounds for revocation. You must warn persons with whom you share a residence that the premises may be subject to search.
2. You must undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the court. You must contribute to the cost of treatment according to your ability to pay. You must allow full reciprocal disclosure between the supervising officer and treatment provider.
3. You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.
4. You must not enter into or remain in any establishment where alcohol is the primary item of sale. You must abstain from alcohol and must submit to urinalysis and Breathalyzer testing as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from this substance.

Fine: Waived

SPA: \$100 per case number

Court will recommend the RDAP program. Defendant may not qualify due to the length of your imprisonment but will recommend. Recommend defendant be placed in Sheridan, Oregon.

Final Order of Forfeiture will be signed by the Court.

Waiver of right to appeal discussed.